IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 518 of 2007

DATED: 5-1-2007

Between:
J.S. Narayana petitioner

And

TheDepot Manager,
APSRTC, Dilsukhnagar Depot,
Dilsukhnagar, Hyderabad Respondent

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THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 518 OF 2007

ORAL ORDER:

This writ petition is filed questioning the suspension order dated 22.11.2006.

The petitioner is employed in the respondent corporation as Driver. He was placed under suspension by impugned order dated 22.11.2006 alleging that on 7.11.2006 at about 18.15 hours, he abused one

Mr. S.V.Sagar, Controller of Dilsukhnagar Depot at the main gate of the depot in un-parliamentary language and assaulted him. The petitioner alleges that the Controller belongs to opposite union and the charges framed against HIM are false and fabricated no criminal case was registered him. It is also alleged that the Depot Manager without considering the statements given by the witnesses in a preliminary enquiry, in a mechanical manner placed him under suspension. Hence, the present writ petition questioning the suspension order as illegal one.

Learned counsel for petitioner submitted that at the time of the alleged incident the petitioner is not on duty and the same did not occur within the premises of the depot and no criminal case is registered with regard to the said incident. It is further submitted that the petitioner has submitted his explanation on 11.12.2006 and is ready to face the enquiry and continuing him under suspension is

unwarranted.

Heard the learned counsel for petitioner and learned Standing Counsel for respondent corporation.

The petitioner was placed under suspension by order dated 22.11.2006 and submitted his explanation on 11.12.2006. In the matters of suspension pending enquiry, this Court normally does not interfere, unless the suspension order is a malafide one or without jurisdiction. It is for the concerned authorities to consider the explanation and take appropriate decision with regard to revocation or continuation of the employee under suspension. In the present case, since the petitioner has already submitted his explanation, I deem it appropriate to dispose of the writ petition with the following direction.

The respondent Depot Manager is directed to consider the explanation submitted by the petitioner and review continuation/revocation of suspension of the petitioner and pass appropriate orders in accordance with law. No costs.

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N.V.RAMANA,J

DATE: 5.1.2007
TVK

THE HON'BLE MR JUSTICE N.V. RAMANA

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